

Beavers
Signature of Sponsor

House Bill No. 2760*

SECTION 4. Tennessee Code Annotated, Section 13-3-304, is amended by adding the following at the end of the section:

(1) Except as provided in subdivision (2), once the planning commission of the region or the municipality has adopted and certified the general regional plan, the planning commission's transmittal of the certification to the legislative body may simultaneously include a resolution by the planning commission requesting the legislative body's consideration and adoption of the general regional plan. The county legislative body by resolution or the municipal legislative body by ordinance may adopt the general regional plan or in the case of the municipality their element of the plan as certified by the planning commission. Prior to the adoption of the general regional plan or amendment thereof by a legislative body, the legislative body shall hold a public hearing thereon, the time and place of which shall be published in a newspaper of general circulation in the county at least thirty (30) days prior to the meeting in which the adoption or amendment is to be first considered. If the legislative body adopts the general regional plan in the form of an ordinance by the municipality or a resolution by the county, then any land use decisions thereafter made by the legislative body or planning commission must be consistent with the general regional plan. The general

regional plan may be amended upon recommendation by and certification of the amendment by the planning commission and adoption of that recommendation by the legislative body. The general regional plan may also be amended upon initiative of the legislative body. Such initiative must be transmitted, in writing, to the planning commission who must be afforded an opportunity to review and vote on the initiative of the legislative body. The planning commission's recommendation on the amendment must then be transmitted to the legislative body who may then adopt the amendment. The general regional plan may be adopted as an element of the jurisdictions' growth plan through the process established in Title 6, Chapter 58, but if the regional general plan is not adopted as part of the growth plan, it nevertheless cannot be inconsistent with the growth plan or the intent of Title 6, Chapter 58.

(2) The provisions of subdivision (1) shall not apply in counties having a population, according to the 2000 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
12,800	12,900
7,975	8,025
17,400	17,450
20,300	20,400
17,700	17,775
130,400	130,500
7,200	7,300
88,800	88,900.

In such counties the general regional plan may be adopted as an element of the jurisdictions' growth plan through the process established in Title 6, Chapter 58, but if the regional general plan is not adopted as part of the growth plan, it nevertheless cannot be inconsistent with the growth plan or the intent of Title 6, Chapter 58.

AND FURTHER AMEND by deleting Section 8, as amended, in its entirety, and by substituting instead the following language

SECTION 8. Tennessee Code Annotated, Section 13-4-202, is amended by adding the following to the end of the section:

(1) Except as provided in subdivision (2), once the commission has adopted the general plan or amendment thereof for the planning jurisdiction of the commission, the commission's transmittal of the certification to the legislative body may simultaneously include a resolution by the planning commission requesting the consideration and adoption of the general plan by the legislative body of the municipality and in the case of a municipal regional planning commission by the county legislative body for the area outside the municipal boundary limits but within the county. The municipal legislative body by ordinance may adopt the general plan as certified by the planning commission and the county legislative body by resolution may adopt the elements of the plan within the jurisdiction of the county legislative body as certified by the planning commission. Once adopted by the legislative body, the general regional plan may be amended upon recommendation by and certification of the amendment by the planning commission and adoption of that recommendation by the legislative body. The general regional plan may also be amended upon initiative of the legislative body. Such initiative must be transmitted, in writing, to the planning commission who must be afforded an opportunity to review and vote on the initiative of the legislative body. The planning commission's recommendation on the amendment must then be transmitted to the legislative body who may then adopt the amendment. Prior to the adoption of the general plan or amendment thereof, a legislative body shall hold a public hearing thereon, the time and place of which shall be published in a newspaper of general circulation in the municipality at least thirty (30) days prior to the legislative body's meeting in which the adoption or amendment is to be first considered. After the adoption of the general plan

by a legislative body, any land use decisions thereafter made by that legislative body and the respective planning commission must be consistent with the plan. The general plan may be adopted as an element of the jurisdiction's growth plan through the process established in title 6, chapter 58, but if the general plan is not adopted as part of the growth plan, it nevertheless cannot be inconsistent with the growth plan or the intent of title 6, chapter 58.

(2) The provisions of subdivision (1) shall not apply in counties having a population, according to the 2000 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
12,800	12,900
7,975	8,025
17,400	17,450
20,300	20,400
17,700	17,775
130,400	130,500
7,200	7,300
88,800	88,900.

In such counties, the general plan may be adopted as an element of the jurisdiction's growth plan through the process established in title 6, chapter 58, but if the general plan is not adopted as part of the growth plan, it nevertheless cannot be inconsistent with the growth plan or the intent of title 6, chapter 58.